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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 ANITA FATE,  
9 Plaintiff,  
10 v.  
11 JOANNE BARNHART,  
12 Defendant.

No. C 05-02034 SI

**ORDER RE: SUMMARY JUDGMENT  
DEADLINE**

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14 Plaintiff filed this action on May 18, 2005, seeking review of a decision by the Social Security  
15 Administration denying her request for Social Security disability benefits. Defendant answered on August 17,  
16 2005. According to this Court's social security procedural order, plaintiff's motion for summary judgment was  
17 due on September 16, 2005. On October 5, 2005, the Court granted plaintiff a 60-day extension to file her  
18 motion for summary judgment. The 60-day period has passed, and the Court still has yet to receive plaintiff's  
19 motion for summary judgment.

20 Accordingly, the Court ORDERS that plaintiff file her motion for summary judgment by January 13,  
21 2006. **If plaintiff's motion is not filed by January 13, 2006, this action will be dismissed without  
prejudice for failure to prosecute.**

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24 **IT IS SO ORDERED.**

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26 Dated: December 20, 2005  
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*Susan Illston*  
SUSAN ILLSTON  
United States District Judge

**United States District Court**

For the Northern District of California

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